

***EFFECTIVE October 23, 2006, ALL  
PROBATE, CONSERVATORSHIPS &  
LIMITED CONSERVATORSHIPS FILINGS  
CURRENTLY ASSIGNED TO JOSHUA  
TREE (AND ALL OTHER DIVISIONS)  
SHALL BE FILED IN THE  
REDLANDS DISTRICT  
COURTHOUSE, 216 BROOKSIDE AVE,  
REDLANDS, CA 92373.***

***ALL NEW FILINGS SHALL BE FILED AND  
HEARD IN THE REDLANDS DISTRICT  
COURTHOUSE***

***ALL GUARDIANSHIPS WILL CONTINUE  
TO BE FILED AND HEARD IN THEIR  
RESPECTIVE DISTRICTS.***

The Probate Examiners can be reached at  
ProbateNotes@courts.sbcounty.gov.

Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened.

Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes.

PLEASE DO NOT SEND EMAILS TO STATE THAT DOCUMENTS HAVE BEEN FILED, TO REQUEST A CONFIRMATION OF WHETHER DOCUMENTS HAVE BEEN RECEIVED, OR TO REQUEST CLEARING OF NOTES. No legal or procedural advice may be given.

CIVCAL4 Joshua Tree District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06 TIME: 8:30 DEPT: MPR  
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CASE #: MC MS00092

CASE NAME: MATTER OF CEASAR LIMCACO RESURRECCION

HEARING:

Hearing re: ACCOUNTING OR WAIVER OF ACCOUNTING

COUNSEL:

MARIA P KENNEDY (PET)...PRO/PER  
CRASAR LIMCACO RESURRECCION (CEP)...  
BARRY S ESKIN (TP )...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting (3<sup>rd</sup>)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. **This estate qualifies for a waiver of accounting, and so the Court may wish to approve a waiver rather than require that any defects noted below be corrected.**
2. Need to file original bank statements. Only filed photocopies.
3. Conservator needs to maintain separate bank accounts. It appears that the conservator is mingling her funds with that of the conservatee. (Joint account)
4. Need to show the disbursements specifically. Conservator has listed lump sums for payments of personal needs.
5. Conservator requesting no fees.

RECOMMENDATION:

Court may order waiver of accounting and set hearing for filing of next accounting or request for waiver for 9-8-08.

CIVCAL4

Joshua Tree District

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06

TIME: 8:30

DEPT: MPR  
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CASE #: MC MS00167

CASE NAME: CONSERVATORSHIP OF ZULEMMA SAMANIEGO

HEARING:

Petition for Appointment of Conservator

COUNSEL:

DAVID A SAMANIEGO (PET)...BRENT DAVID GRIDER

APRIL L SALGE (PET)...BRENT DAVID GRIDER

ZULEMMA SAMANIEGO (CPE)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Conservator, person & estate, by son & daughter

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Temporary letters issued on 8-24-06. Conservators posted \$20,000 bond.
2. Requesting dementia powers. Court needs to appoint counsel for proposed conservatee.
3. Medical capacity declaration filed. It only provides information as to lack of ability to consent for treatment. The dementia attachment was not included. Before the Court can order dementia powers, need to file the appropriate paperwork from the doctor.
4. Requesting no bond. However, the Code requires a bond unless there is good cause. Fact that the petitioners are related is not "good cause". The estate consists of pension benefits and also includes real property. The estate does not qualify for a waiver of bond. The current bond of \$20,000 appears adequate, as the conservators have no right to sell the real property without court order.
5. Need to file Citation.
6. Need CI report.

RECOMMENDATION:

Need to clear notes. Once approved, set hearing for filing of I & A for 3-19-07. Set hearing for filing of accounting for 11-17-07.

CIVCAL4 Joshua Tree District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06 TIME: 8:30 DEPT: MPR  
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CASE #: MG MS00307

CASE NAME: G'ship of BRYAN TAYLOR SCOTT & JORDAN NICOLE SCOTT

HEARING:

Hearing Re: WAIVER OF ACCOUNTING.

COUNSEL:

LISA MAKE	(PET)...	IGNAZIO FICARA
CURTIS J. BRYAN	(PET)...	IGNAZIO FICARA
BRYAN TAYLOR SCOTT	(MIN)...	
JORDAN NICOLE SCOTT	(MIN)...	

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Previously, the court has approved waivers of accounting based upon the representation of minimal estate. The I & A showed a value of \$0 at time of establishment of guardianship. It appears that the estate assets are based upon Social Security benefits paid following the guardianship.
2. Please identify the amount of Social Security benefits each child was receiving per month.
3. Is there a receipt for interest on the monies deposited?
4. Guardian is taking a "room and board" fee every month from each child, in the amount of \$400. She is also charging for all clothes purchases, airline tickets, babysitting, birthday parties, etc. Guardian is not exceeding the income of the minors. The Court may wish to discuss with guardians guidelines for appropriate expenses in the future.
5. Attorney requesting fees of \$593.55. Itemized. JTD

RECOMMENDATION:

Need to file supplement. Once approved, set hearing for next accounting for 9-8-08.

CIVCAL4 Joshua Tree District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06 TIME: 8:30 DEPT: MPR  
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CASE #: MG MS00398

CASE NAME: GUARDIANSHIP OF TYLER SHAWN TILTON

HEARING:

Hearing Re: PETITION FOR TERMINATION OF G'SHIP.

COUNSEL:

JUDY TILTON (PET)...PRO/PER  
TYLER SHAWN TILTON (MIN)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Termination, by guardian

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Minor is 11. Guardianship established in 2005. Mother was homeless. Father in jail. CPS gave child to guardian.
2. Guardian alleges that father is now able to take care of child.
3. Need to file notice of hearing and proof of service as to persons named in petition.
4. Court may wish to request Court Investigators do home study on the father.

RECOMMENDATION:

Need notice.

CIVCAL4 Joshua Tree District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06 TIME: 8:30 DEPT: MPR  
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CASE #: MG MS00405

CASE NAME: GUARDIANSHIP OF ANNABELLE ROSE EMBREY

HEARING:  
Petition for Appointment of Guardian

COUNSEL:  
PAT EMBREY (PET)...PRO/PER

ANNABELLE ROSE EMBREY (MIN)...  
OBO MINOR CHILD (MIN)...GREGORY P JOHNSON  
COURT INVESTIGATOR-GUARDIANSHIP (AGN)...  
AMANDA EMBREY (OBJ)...PRO/PER

GENERAL INFORMATION:

This case is set for hearing on Petition for Guardianship, person only, by maternal grandmother, minor 3

Continued from 7-11-05. Attorney Johnson appointed for minor.  
Minute order indicates that "OBO MINOR CHILD is added"  
Mother present and objecting.

Continued from 8-15-05.

Continued from 10-17-05. Attorney Johnson requested that the objection be taken off calendar and reported that petitioner may be filing a dismissal of her petition. Court then set this date as a control hearing. Court mailed copy of this minute order to petitioner.

On 11-21-05, Atty Johnson requested referral to FCS. Parties to report by 12-5-05.  
Mother given visitation on 2<sup>nd</sup> & 4<sup>th</sup> Saturdays from 9am to 4pm. No new documents filed.

Continued from 1-23-06 at request of Attorney Johnson. Nothing new filed.

Continued from 5-8-06. Referred to CI for investigation and report. CI to obtain CPS records. Pat Embrey was appointed temporary guardian. No new documents filed.

Continued from 6-19-06. Minor's counsel inquiring whether notification made to CI re: report.. Report now in file as to CPS records, but no indication that CI did home study.

Continued from 7-17-06. It appears that CI report was received (see green sheet dated 7-19-06), but not currently in the file.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Ex parte letters denied on 6-9-05. Mother appeared. Minute order indicates that petitioner needs to serve notice on father. Temporary letters issued 5-8-06.
2. Petition indicates that petitioner (maternal grandmother) is blind and that it is likely that petitioner and minor will move to Texas to live with another daughter of petitioner. **Court should inform the petitioner that if guardianship is approved, that she cannot move out of state with the minor without the Court's permission.**
3. Court to review Cletts report.
4. Allegations of mother's drug use. If mother objects to the guardianship, court may wish to require drug tests.
5. Petitioner indicates that CPS may be involved with children. Court should ask CI to obtain the CPS records for the court's review. **Court appointed counsel for minor.**
6. Waiting for CI report per Court Order of 5-8-06. (Waiting for home study report, assuming that was the Court's intention. CI has provided review of CPS records only.) **This may have been done, but not in file??**

RECOMMENDATION:

None

HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06      TIME: 8:30      DEPT: MPR  
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CASE #: MG MS00445

CASE NAME: G'SHIP OF TAYLOR & ROBERT MURPHY

HEARING:

Hearing Re: Appointment of Guardian.

COUNSEL:

CAROLYN MURPHY	(PET)...	J ALAN PLOTT
ROBERT MURPHY	(PET)...	J ALAN PLOTT
TAYLOR MURPHY	(MIN)...	
ROBERT MURPHY	(MIN)...	
AIKI CAVANAUGH	(CLM)...	

GENERAL INFORMATION:

Continued from 71-7-06. Mother and father present. (represented by attorneys)

Court waiting for outcome of family law case, and clearing notes.

Continued from 8-21-06, at request of Attorney Plott. Matter continued for results from Family Law Matter and filing of response by father. **No response filed by father yet.**

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by paternal grandparents, minors 3 & 4

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Temporary letters denied on 6-12-06. On court's own motion, Aiki Cavanaugh is added as a party to the case. Court ordered Aiki Cavanaugh to vacate Erika Murphy's residence within 24 hours of service of minute order, and that Aiki Cavanaugh is not to return to Erika Murphy's residence nor is he to have any contact with the minor children. Mother may pick up children within 24 hours of proof of service being filed with the court on Aiki Cavanaugh of the minute order.
2. Proof of service on Aiki Cavanaugh filed with the court. (Typo in Proof states minute order is dated 4/12/06)
3. Court referred to FCS for mediation. Not in file, but CI report refers to it.
4. Court ordered home assessment for Erika Murphy and Carolyn Murphy. Filed for both homes.
5. Court appoints CI. Report in file.
6. **Petitioners need to sign Page 1 of the Guardianship Questionnaire.**

7. In divorce case, father lost custody. Mother received primary custody. Appears to be still pending. Should the family court take jurisdiction of this case?
8. Mother still has children.
9. Father has signed waiver and consent.
10. Parties have filed substantial declarations regarding issues.
- 11. Need to file proof of mailed service on maternal grandfather.**
12. Standard: mother's care is detrimental to the children.

RECOMMENDATION:

None. If court approves guardianship, need to clear notes 6 & 11.

CIVCAL4

Joshua Tree District

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR  
HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06

TIME: 8:30

DEPT: MPR  
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CASE #: MG MS00452

CASE NAME: G'SHIP OF ALEXANDRIA RODRIGUEZ

HEARING:

Petition for Appointment of Guardian

COUNSEL:

FAITH MOLINA (PET)...PRO/PER

RICHARD RODRIGUEZ (PET)...PRO/PER

ALEXANDRIA RODRIGUEZ (MIN)...

GRACE RODRIGUEZ (MIN)...

CHARITY RODRIGUEZ (MIN)...

ABEL RODRIGUEZ (MIN)...

GENERAL INFORMATION:

Continued from 8-14-06

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by sister and brother, minors 15, 11, 9 & 7

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Temporary letters issued 7-30-06.
2. Court to review Confidential Screening Form and Cletts.
3. Faith Molina has possession of Alexandria and Grace; Richard Rodriguez has possession of Charity and Abel. What is the plan of the petitioners regarding the future? Each house these 2?
4. Need to file proof of personal service on mother.
5. Need to file proof of personal service on father(s). Identify the fathers for each minor. **Filed Due Diligence Declaration on father Lino Rodriguez, with no listing in phone book. No longer living in Fontana, hasn't spoken to him in a long time. JTD**
6. What about the paternal grandparents? If there is more than 1 father, need to identify every set. **Filed due diligence declaration that paternal grandparents live in Mexico and are unable to locate.**

RECOMMENDATION:

None

CIVCAL4 Joshua Tree District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06 TIME: 8:30 DEPT: MPR  
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CASE #: MG MS00455

CASE NAME: GUARDIANSHIP OF SAMANTHA V. GARVER

HEARING:  
Petition for Appointment of Guardian

COUNSEL:  
LYN LAPLANTE (PET)...PRO/PER  
SAMANTHA V GARVER (MIN)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by non-relative, minor 16 years

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Temporary letters issued on 8-14-06.
2. Petitioner is mother of minor's best friend.
3. Court has dispensed with notice to father.
4. Petition indicates that grandparents are unknown. Need to get more information, at least regarding the maternal grandparents. Will need service unless court dispenses with requirement of notice to them.
5. Minor has signed waiver and consent.
6. Need to file proof of personal service on mother.
7. Need to file proof of mailed service on DCS.
8. Need DCS report as petitioner is non-relative.

RECOMMENDATION:  
Need DCS report and notice cleared.

CIVCAL4 Joshua Tree District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06 TIME: 8:30 DEPT: MPR  
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CASE #: MPRMS00906

CASE NAME: ESTATE OF ISAAC J. GITTERMAN

HEARING:  
OSC re: CONTEMPT

COUNSEL:

MAXIMILLIAN A. GITTERMAN (PET)...PRO/PER  
ISAAC J. GITTERMAN (DEC)...  
BRIAN MCCORMICK, PUBLIC GUARDI(AGN)...PRO/PER  
LISA GITTERMAN (TP )...PRO/PER  
JULIE GITTERMAN (PRO/PER )...PRO/PER

GENERAL INFORMATION:

On 5-8-06, court removed Maximillian Gitterman as the executor. Attorney Johnson was to notice the beneficiaries. Continued last from 8-21-06. **Nothing new filed.**

Prior History

Continued last from 1-9-06 at request of counsel to prepare a report. Continued again from 3-27-06. Attorney Johnson has filed a report.

**Continued from 4-17-06. Maximillian Gitterman did not appear. Court ordered Attorney Johnson to prepare contempt citation and notice petitioner for hearing. (not filed yet)**

**Continued from 6-5-06 at request of Attorney Johnson.**

**On 7-24-06, Attorney Johnson made an oral report to court. He will file a supplemental report. Juanita Zappia (see note 3) to file and serve notice of proposal to serve proposal re: 2<sup>nd</sup> trust deed worth approximately \$6000. Attorney Johnson to provide an address for Ms. Zappia to serve such proposal. Attorney Johnson reported he was unable to meet with petitioner Gitterman as he resides in AZ.**

THIS CASE IS SET FOR HEARING ON OSC re: Successor Administrator of Estate  
On 5-3-04, at OSC re: Removal, court removed Maximillian Gitterman and imposed \$5000 in sanctions to be paid by 7-19-04. No appearance at hearing. OSC set. Notice personally served on Maximillian Gitterman on 5-27-04.

Continued from 12-12-04. Attorney Johnson ("referee") requested continuance. Parties were preparing accounting. Nothing new filed.

Continued from 3-28-05. Attorney Johnson requested continuance. Nothing new filed.

Continued from 6-20-05. Attorney Johnson requested continuance. Nothing new filed.

Continued from 8-8-05. Counsel requested continuance. Nothing new filed.

Prior History:

5-19-03: ordered again to file accounting (NEVER FILED) \*original order 8-26-02

7-7-03: \$1000 sanction against Maximillian Gitterman and relieved

8-6-03: declaration filed re: inability to appear on 7-7-03

8-8-03: court vacated prior order

10-20-03: M.G. sanctioned again, \$1000

1-12-04: sanctions vacated

On 7-19-04, Maximillian Gitterman present. Court appointed Greg Johnson as referee and court continued matter for counsel to meet and confer with petitioner.

On 10-4-04, parties appeared at hearing and requested continuance. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Report from Attorney Johnson filed, outlining the many issues with the estate and the dereliction of duty by M. Gitterman.
2. Other beneficiaries have been personally contacted by Attorney Johnson. It appears that only a small portion of the proceeds due to them have been paid, and that M. Gitterman may have committed various fiduciary breaches.
3. **It appears that Attorney Johnson is requesting a fee of \$650 only, which appears quite low in contrast to the amount of time he expended. However, the only collectable asset of the estate now appears to be a note from Juanita Zappia. There is a 2<sup>nd</sup> trust deed recorded on her property in favor of decedent Gitterman, which is now worth about \$6000.**
4. Attorney Johnson recommends that the note be paid and that the funds be placed in a blocked account, to pay his fee, those of timely creditors and then remainder to the beneficiaries.
5. **If beneficiaries won't execute paperwork to release lien, then Attorney Johnson could bring an appropriate motion to have the court sign the paperwork or provide an order to cover the chain of title issue for Ms. Zappia.**
6. Because M. Gitterman has failed to properly account and pay the creditors, the Court should not enter any final orders on this case (so as not to

foreclose any personal liability on the part of Mr. Gitterman should any creditor wish to act.)

7. The Court may simply remove M. Gitterman as executor (with or without monetary sanctions) and let the estate sit until some other beneficiary wishes to come in and close it. The Court may wish to not relieve Attorney Johnson yet, until his fee has been paid through the Zappia note. Attorney Johnson, for his continued work, could request additional funds for his efforts.

**RECOMMENDATION:**

Attorney Johnson should remain appointed to clear the Zappia note, and then he could be relieved.

CIVCAL4 Joshua Tree District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06 TIME: 8:30 DEPT: MPR  
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CASE #: MPRMS01140

CASE NAME: ESTATE OF SUZANNE ROCHELLE PIFFL

HEARING:

Hearing re: FILING OF RECEIPTS & FINAL DISCHARGE

COUNSEL:

STACIE RENEE SAMUELS (PET)...DAVID JUSTIN LYNCH & ASSOCIATE  
SUZANNE ROCHELLE PIFFL (DEC)...

GENERAL INFORMATION:

Continued from 3-6-06. Counsel for petitioner called; car broke down. No appearance.

THIS CASE IS SET FOR HEARING ON Final Discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. **NOTICE OF NSF CHECK SENT TO Scott Baker on 2-15-06. Scott Baker needs to pay \$286.**
2. No receipts filed.

**RECOMMENDATION:**

Need to collect funds from Scott Baker (appearance fee).  
Need to find out status of receipts.

CIVCAL4 Joshua Tree District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06 TIME: 8:30 DEPT: MPR  
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CASE #: MPRMS01286

CASE NAME: ESTATE OF GEORGE HANSCHILD

HEARING:

Hearing re: PETN FOR FINAL DISTRIBUTION UNDER WAIVER OF ACCOUN

COUNSEL:

JESSE HANSCHILD (PET)...DONALD C KEMBY  
GEORGE HANSCHILD (DEC)...

GENERAL INFORMATION:

Continued from 9-19-05. Need to file entire copy of trust agreement, need to file proof of service as to all persons named in the trust.

Continued from 10-17-05 to clear notes. (See other matter regarding Conservatorship issue –estate owed money by conservator)

Continued from 1-23-06. Counsel filed supplement.  
Continued from 3-6-06. Nothing new filed.

Continued from 5-8-06. See Conservatorship file for Supplement.  
Continued from 6-12-06. Filed Motion for Approval of Accounting

Continued from 7-10-06. "Boyd Hanschild Estate Documents" filed.

Continued from 8-14-06. Supplemental Statement filed on 8-14-06.

THIS CASE IS SET FOR HEARING ON Final Account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Estate indicates no creditors, as all creditors were paid during Conservatorship estate.

2. Executor waiving commission.
3. Attorney waives claim against estate for fees.
4. Supplement explains that all other beneficiaries have assigned their interest to Jesse Hanschild.
5. **Need to file proof of service as to all persons named in the trust. Supplement has no proof of service. Please file.**

RECOMMENDATION:

None

CIVCAL4 Joshua Tree District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06 TIME: 8:30 DEPT: MPR  
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CASE #: MPRMS01319

CASE NAME: ESTATE OF FRED CHARLES BROWN

HEARING:  
Accounting Review

COUNSEL:  
PATRICIA M LONG (PET)...PRO/PER  
FRED CHARLES BROWN (DEC)...

GENERAL INFORMATION:

Continued from 5-22-06  
Continued from 6-19-06. Supplement filed.  
Continued from 7-24-06. Supplement filed.  
Continued from 8-21-06. Supplement filed.

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. On 5-1-06, court ordered petitioner to file accounting. Court set matter for this date.
2. On 4-28-06, executor filed a status report indicating that she was unable to close the estate to sell the property. Status report also indicates that "Partial" I & A represents all assets of the estate.
3. A "Final" I & A was filed on 5-22-06.
4. Supplement is really the First Accounting
  - a. Need to explain why paying Directv each month, along with gas and water other utilities. Was estate paying the living expenses of Mike Brown to detriment of other heirs? **Supplement explains that prior to death, decedent allowed them to pay him in cash for the utilities. Estate continued to pay the bills for convenience of not having these 2 beneficiaries to have to put down deposits and get the utilities in their name. The accounting does not reflect payments**

- every month for utilities in addition to the rent, and it appears that these 2 beneficiaries received benefits from estate that the other beneficiaries did not receive.
- b. What are the terms of the rental agreements for each property? **Supplement explains that there was no rental agreement. It appears that estate has allowed use of estate property in favor of 2 beneficiaries.**
  - c. Which property has the pool? Why is estate paying for maintenance? **Supplement explains that pool was located at 5421 Bailey and that Mike paid bills until he moved out. Then estate needed to maintain.**
  - d. Why was the estate paying for gas? What services were being rendered? **Supplement explains that petitioner used the funds to pay for gas to remove junk from the property.**
  - e. Accounting lists monies used to remove inoperable cars from property, but I & A doesn't show that estate owned any cars. **Supplement states that estate didn't own the junk car. An abandoned car was left on the property and towed away.**
  - f. What construction project was completed to require all the materials? **Supplement includes photographs showing repairs to house.**
  - g. Need to disclose any familial relationships with persons paid out of the estate. Is Rhonda Romberg a relative? **Supplement indicates that Rhonda Romberg is a relative. Other relative who received monies is Chris Grabo.**
  - h. When will estate be in condition to close? **Supplement indicates that need to sell real property.**
5. There are irregularities in the estate management. However, notice was provided to all beneficiaries who could file objections. Court might wish to order Patricia Long to send a copy of these probate notes to all beneficiaries. If no objections, then the Court could approve the accounting. **Supplement filed showing proof of service of notes. No objections filed.**

RECOMMENDATION:

See note 5. Once this report is settled, the Court needs to set another date for the Final Accounting. Suggest 5-14-07.

CIVCAL4 Joshua Tree District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06 TIME: 8:30 DEPT: MPR  
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CASE #: MPRMS01332

CASE NAME: ESTATE OF JAMES T. BROCKMAN II

HEARING:  
Accounting Review

COUNSEL:  
SCOTT R PASBY (PET)...PERRY P LISS  
JAMES T BROCKMAN II (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. I & A filed.
2. No accounting or status report filed.

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall take action as specified in PC 11050, et seq.

CIVCAL4 Joshua Tree District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06 TIME: 8:30 DEPT: MPR  
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CASE #: MPRMS01363

CASE NAME: ESTATE OF CLARENCE O BRUCKER

HEARING:  
Accounting Review

COUNSEL:  
CLARENCE O BRUCKER JR (PET)...IRA N TUCK  
LINDA S WAGNER (PET)...IRA N TUCK  
CLARENCE O BRUCKER (DEC)...

GENERAL INFORMATION:  
Continued from 8-28-06 due to death of attorney.

THIS CASE IS SET FOR HEARING ON Wavier of Accounting

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Decedent owned property in Arizona. Executor requesting continuance of estate in order to obtain monies from the sale of those properties per ancillary administration in Arizona. OK
2. Need to file notice of hearing and proof of service. As this report is more like a status report rather than an accounting to close the estate, the notice of hearing should comply with PC 12201.

RECOMMENDATION:  
Need to comply with note 2. Then continue matter to 4-16-07.

CIVCAL4 Joshua Tree District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06 TIME: 8:30 DEPT: MPR  
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CASE #: MPRMS01377

CASE NAME: ESTATE OF FLORA L. HARDING

HEARING:  
OSC re: Contempt/No Accounting filed.

COUNSEL:  
TOM HARDING (PET)...WAGNER KIRKMAN BLAINE & YOUMAN  
FLORA L HARDING (DEC)...

GENERAL INFORMATION:  
Continued from 8-21-06. Hearing now set as OSC

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting not filed.
2. No proof of personal service on personal representative.

RECOMMENDATION:  
None

CIVCAL4 Joshua Tree District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06 TIME: 8:30 DEPT: MPR  
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CASE #: MPRMS01398

CASE NAME: ESTATE OF BARBARA L. PALMER

HEARING:  
Accounting Review

COUNSEL:  
SANDRA LEE PALMER (PET)...PRO/PER  
BARBARA L PALMER (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. I & A filed. **Sandra Palmer needs to satisfy property tax certificate requirements. (See Box 5 on I & A) Need to file change of ownership statement with the county recorder or assessor.**
2. NO accounting filed.

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall take action as specified in PC 11050, et seq.

CIVCAL4 Joshua Tree District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06 TIME: 8:30 DEPT: MPR  
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CASE #: MPRMS01411

CASE NAME: ESTATE OF BRADLEY JAMES COLVERT

HEARING:  
Hearing Re: STATUS REPORT.

COUNSEL:  
ANGELA G COLVART (PET)...PATTERSON HANNA & ASSOC  
BRADLEY JAMES COLVART (PET)...PATTERSON HANNA & ASSOC

GENERAL INFORMATION:

Continued from 7-17-06. Nothing new filed.

Continued from 8-28-06. Hearing continued at request of petitioner. I & A has been sent to client for signature.

THIS CASE IS SET FOR HEARING ON Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Hearing set on 4-10-06 when Court granted ex parte petition to add the name Bradley James Colvert to the Caption and issue new letters.
2. Minute order stated I & A to be filed within one week.
3. No I & A filed. Estate was opened for the possible litigation proceeds.

RECOMMENDATION:

If I & A not filed, the Court may wish to set OSC re: Failure to Obey Court Order. Issue citation on Angela Colvert and have it personally served.

CIVCAL4 Joshua Tree District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06 TIME: 8:30 DEPT: MPR  
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CASE #: MPRMS01440

CASE NAME: ESTATE OF FRANCES MURIEL ALLEN

HEARING:

Hearing re: REPORT OF EXECUTOR & PET'N FOR APPROVAL

COUNSEL:

ROBERT A DUARTE (PET)...FRANK A KOROSHEC JR  
FRANCES MURIEL ALLEN (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver and Final Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Still need to file the 3 remaining Waivers of Account. If not filed, will need to do full accounting.
2. Attorney requesting statutory fee of \$8174. OK
3. Executor requesting statutory commission of \$8174. OK

RECOMMENDATION:

RFA subject to 1. Once approved, set hearing for filing of receipts and final discharge for 9-17-07.

No proposed order filed.

CIVCAL4 Joshua Tree District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06 TIME: 8:30 DEPT: MPR  
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CASE #: MPRMS01455

CASE NAME: ESTATE OF LUCIEN R. GANCHOU

HEARING:  
OSC re: FILING OF INVENTORY AND APPRAISAL

COUNSEL:  
JAMES D CRAIG (PET)...IRA N TUCK  
LUCIEN R GANCHOU (DEC)...

GENERAL INFORMATION:  
Continued last from 8-21-06.

THIS CASE IS SET FOR HEARING ON I & A

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Partial filed. Waiting for Final I & A.

RECOMMENDATION:  
When an inventory and appraisal is not filed as ordered, court may set a hearing in accord with Probate Code §8505.

CIVCAL4 Joshua Tree District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06 TIME: 8:30 DEPT: MPR  
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CASE #: MPRMS01496

CASE NAME: ESTATE OF WANDA L BENAVIDEZ

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

JULIO BENAVIDEZ II (PET)...D M DAVIS  
WANDA L BENAVIDEZ (DEC)...

Off-calendar. I & A filed.

CIVCAL4 Joshua Tree District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06 TIME: 8:30 DEPT: MPR  
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CASE #: MPRMS01532

CASE NAME: ESTATE OF JOSE BALLESTEROS

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

LEONARD A BOCK	(PET)...LEONARD A. BOCK
JOSE BALLESTEROS	(DEC)...
BRENDA OSTRANDER	(PET)...LEONARD A. BOCK

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON I & A

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Filed. However, DHS has filed Request for Special Notice, which means that a copy of the I & A must be served on DHS. File a proof of service.
2. Need to file copy of bank statement with I & A, per local rule.

RECOMMENDATION:

None

CIVCAL4 Joshua Tree District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06 TIME: 8:30 DEPT: MPR  
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CASE #: MPRMS01533

CASE NAME: ESTATE OF MAC JOHANNES

HEARING:  
Hearing re: Inventory and appraisal

COUNSEL:  
JOSHUA A JOHANNES (PET)...CHRISTOPHER L. CARPENTER  
MAC JOHANNES (DEC)...

Off-Calendar. I & A has been filed.

CIVCAL4 Joshua Tree District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06 TIME: 8:30 DEPT: MPR  
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CASE #: MPRMS01534

CASE NAME: ESTATE OF JOHN A. JOHANNES

HEARING:  
Hearing re: Inventory and appraisal

COUNSEL:  
JOSHUA A JOHANNES (PET)...CHRISTOPHER L. CARPENTER  
JOHN A JOHANNES (DEC)...

Off-calendar. I & A has been filed.

Superior Court of Calif, County of San Bernardino

Page: 24

CIVCAL4

Joshua Tree District

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06      TIME: 8:30      DEPT: MPR  
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CASE #: MPRMS01588

CASE NAME: ESTATE OF NELLIE M. BOSLER

HEARING:

Petition for Probate, Letters of Tstmnty with full authority  
under IAEA.

COUNSEL:

RICHARD W BOSLER      (PET)...IRA N TUCK  
NELLIE M BOSLER      (DEC)...

GENERAL INFORMATION:

Continued from 6-26-06

Continued from 7-24-06

Continued from 8-21-06. No appearance.

THIS CASE IS SET FOR HEARING ON Petition for Probate – Amended

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Bond has been posted.

RECOMMENDATION:

If approved, set hearing for filing of Inventory & Appraisal for 3-19-07. Set hearing for  
filing of accounting for 11-17-07.

CIVCAL4 Joshua Tree District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06 TIME: 8:30 DEPT: MPR  
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CASE #: MPRMS01590

CASE NAME: MATTER OF DOLORES M. THOMPSON TRUST

HEARING:

Hearing re: PET'N FOR ORDERS DETERMINING VALIDITY & INTERPRETA

COUNSEL:

DANIEL B. REGIMBAL (PET)...WILCOX & PEIRANO LLP

GENERAL INFORMATION:

continued from 7-2406. Respondent Michelyn Miller appeared and requested continuance. Court continued for respondent to prepare a response and for the filing of an accounting by James Reginabl. If the accounting cannot be done in time, respondent may request an extension.

THIS CASE IS SET FOR HEARING ON Petition for Orders Determining Validity

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Waiting for response and accounting.

RECOMMENDATION:

None

CIVCAL4 Joshua Tree District  
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KENNETH G ZIEBARTH

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DATE: 09/18/06 TIME: 8:30 DEPT: MPR  
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CASE #: MPRMS01606

CASE NAME: ESTATE OF SALLY CAROL KOZLOWSKI

HEARING:

Hearing re: AMENDED PETITION FOR PROBATE OF WILL & LETTERS

COUNSEL:

PAUL KOWALCZYK (PET)...PRO/PER  
SALLY CAROL KOZLOWSKI (DEC)...  
SUSAN WEBSTER (PET)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON **Amended** Petition for Probate of Will, with full authority

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Court dismissed prior petition without prejudice on 8-14-06 as prior petitioner lacked standing as a resident of Canada. Now amended petition filed by Susan Webster, California resident.
2. Need to file proof of due publication.
3. Need to file proof of service on Canadian consulate, as beneficiaries are residents of Canada.
4. Bond waivers from each beneficiary. OK

RECOMMENDATION:

Need to comply with notes 2 & 3. Once approved, set hearing for filing of inventory & appraisal for 3-19-07. Set hearing for filing of accounting and/or status report for 11-17-07.